



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/733,763	12/12/2003	Kevin Neil Kim	MFCP.108795	8725
45809	7590	05/18/2007	EXAMINER	
SHOOK, HARDY & BACON L.L.P. (c/o MICROSOFT CORPORATION) INTELLECTUAL PROPERTY DEPARTMENT 2555 GRAND BOULEVARD KANSAS CITY, MO 64108-2613			BAUTISTA, XIOMARA L	
ART UNIT		PAPER NUMBER		
2179				
MAIL DATE		DELIVERY MODE		
05/18/2007		PAPER		

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No.	Applicant(s)
	10/733,763	KIRN ET AL.
	Examiner	Art Unit
	X. L. Bautista	2179

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) Responsive to communication(s) filed on 26 February 2007.
- 2a) This action is **FINAL**. 2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) Claim(s) 1-39 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) Claim(s) _____ is/are allowed.
- 6) Claim(s) 1-39 is/are rejected.
- 7) Claim(s) _____ is/are objected to.
- 8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on _____ is/are: a) accepted or b) objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) All b) Some * c) None of:
 1. Certified copies of the priority documents have been received.
 2. Certified copies of the priority documents have been received in Application No. _____.
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) Notice of References Cited (PTO-892)
- 2) Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) Information Disclosure Statement(s) (PTO/SB/08)
 Paper No(s)/Mail Date _____.
- 4) Interview Summary (PTO-413)
 Paper No(s)/Mail Date. _____.
- 5) Notice of Informal Patent Application
- 6) Other: _____.

DETAILED ACTION

Response to Arguments

1. Applicant's arguments, see amendment, filed 2/26/07, with respect to the rejection(s) of claim(s) 1-39 under 35 U.S.C. 103(a) have been fully considered and are persuasive. Therefore, the rejection has been withdrawn. However, upon further consideration, a new ground(s) of rejection is made in view of Berque, Landress et al and new reference Ogawa.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. **Claims 1-39 are rejected under 35 U.S.C. 103(a) as being unpatentable over Berque (US 7,003,728 B2), Landress et al (US 2003/0191816 A1) and Ogawa (US 6,072,479).**

Claims 1, 13, 18 and 28:

Berque teaches a system for sharing images. The system has a computer (messaging client) that has a graphical user interface (media viewer) for enabling a

moderator (user with control) to send (transfer and load) one or more images to a plurality of participants (user without control) during an image sharing session (abstract; col. 1, lines 66-67; col. 2, lines 1-45; col. 5, lines 53-64; col. 6, lines 1-5).

Berque does not teach that the objects are presented to the user without control by parallel execution of independent image processing operations to convert the objects for viewing. However, Landress discloses a system and method for creating and delivering customized (converted) multimedia objects that can be executed in parallel (abstract; p. 2, par. 0025, 0029-0030; p. 4, par. 0052, 0054; p. 8, par. 0094-0096; fig. 5). Thus, it would have been obvious to a person having ordinary skill in the art at the time of invention to modify Berque's method of sharing documents to include Landress' teaching of parallel execution of independent image processing operations because users are allowed to process a number of objects having the same basic structure, wherein all objects may have the same content items or different content as appropriate; wherein the parallel execution of multiple objects is transparent to the user.

Berque/Landress does not teach displaying a thumbnail as a representation of a media object. However, Ogawa discloses a system and method for displaying media objects for use as surrogate media objects; the surrogate media objects being displayed in a list of thumbnails; the thumbnails representing actual moving picture objects, voice objects or image objects (abstract; col. 3, lines 21-57; col. 4,

lines 58-63). Ogawa explains that the invention allows users to share application images even in the initial development stage where no media object are available (col. 1, lines 37-41). Therefore, it would have been obvious to one having ordinary skill in the art at the time of invention to modify Berque/Landress to include Ogawa's teaching of converting a media object to a thumbnail representation for sharing with other users because small versions of an image save space since a large number of thumbnails can be displayed to represent larger files that otherwise may need more space; they are used for quick identification or speedy selection; they can be used for showing a first frame of clip as a picture reference; they save download time by representing downloadable objects; they are suitable for quick browsing or preview, etc.

Claims 2-3, 19-20, and 33-34:

Landress teaches a network-enabled chat client. Landress explains that the host site includes interactive functions engaging a plurality of users simultaneously logged in to the host site, such as bulleting boards, chat rooms, instant messaging, etc. (p. 12, par. 0131).

Claims 4, 5, 17, 21, 22, 35 and 36:

Berque teaches shared media objects may contain graphical images and/or digital pictures (col. 10, lines 21-32). Landress teaches the objects may contain still images and thumbnails (p. 2, par. 0029).

Claims 6, 23, and 37:

Berque teaches a user interface having a public work area and a private work area, wherein the public work area enables users to control the shared object (col. 3, lines 30-54).

Claims 7, 24 and 32:

Berque teaches an interface that enables a sender user to control selection and transmission of media objects for mutual viewing by others (abstract; col. 1, lines 66-67; col. 2, lines 1-15).

Claims 8, 25, and 38:

See claim 1. Berque/Landress teaches a media viewer integrated with the messaging client (Berque: col. 5, lines 53-64; figs. 1-2; Landress: p. 12, par. 0131).

Claims 9, 26, and 39:

Landress teaches a sending terminal and a receiving terminal, which may be a (media viewer integrated with the messaging client) personal computer or mobile devices such as PDAs and cellular phones (the media viewer is separate from the messaging client), (p. 9, par. 0106; p. 13, par. 0146).

Claim 10:

Landress teaches media objects such as video and audio, (p. 9, par. 0106).

Claims 11, 12, and 27:

Berque teaches that an annotation object can be presented via the media

viewer (col. 13, lines 20-25), the annotation object having a sticker object and a pointer (col. 13, line 36-col. 14, line 32).

Claims 14 and 29:

See claim 1. Berque teaches that users may independently select a shared media object to view in the media viewer (col. 1, lines 42-46; col. 5, lines 53-64; col. 6, lines 1-36).

Claims 15 and 30:

Berque teaches a graphical user interface wherein at least two users may select objects to synchronously view, independently of other users (col. 14, lines 1-32).

Claims 16 and 31:

Berque teaches that media objects can be downloaded from the Internet (col. 12, lines 25-47). Landress teaches that media objects can be downloaded, loaded, or uploaded (p. 1, par. 0007; p. 2, par. 0030; p. 3, par. 0032; p. 6, par. 0075; p. 11, par. 0128).

Conclusion

4. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Parker et al discloses selectable digital objects organized in a timeline; the multimedia objects can be transferred over the Internet to a web site

for sharing; thumbnail are displayed for representing the media objects (abstract; col. 1, lines 40-45; col. 3, lines 59-67; col. 4, lines 40-64).

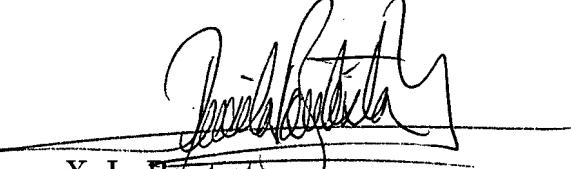
5. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to X. L. Bautista whose telephone number is (571) 272-4132. The examiner can normally be reached on Monday-Thursday 8:00AM-6:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Weilun Lo can be reached on (571) 272-4847. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

7. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.



X. L. Bautista
Primary Examiner
Art Unit 2179

xlb
May 11, 2007